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Date

Michael C. Barrett

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gascoyne et al.

Serial No.: 10/743,698

Filed: December 20, 2003

For: Methods and Apparatus for Electrosmear

Analysis

Group Art Unit: 1753

Examiner: Jeffrey Thomas Barton

Atty. Dkt. No.: UTXC:760US

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

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Commissioner for Patents PO Box 1450

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Commissioner:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed June 28, 2005, finally rejecting claims 1-56. It is believed that this paper is timely filed and no extensions of time are required.

The fee for filing this Notice of Appeal is \$250 and is attached hereto.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed material, or should an Serial No. 10/743,698

overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Deposit Account No.: 50-1212/UTXC:760US/MCB.

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Respectfully submitted,

Mille. LA

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Date: August 29, 2005

PTO/SR/21 (09-04)

	U.S.	Approved for use through 07/31/2006. OMB 0651-0031 Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995	Application Number	illection of information unless it displays a valid OMB control number. 10/743,698
TRANSMITTAL	Filing Date	December 20, 2003
FORM	First Named Inventor	Peter R. C. Gascoyne
	Art Unit	1753
(to be used for all correspondence after initial	Examiner Name filing)	Jeffrey Thomas Barton
Total Number of Pages in This Submission	3 Attorney Docket Number	UTXC:760US
ENCLOSURES (Check all that apply)		
Fee Transmittal Form Fee Attached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53	reason related to the enclosed mater	Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please Identify below): Notice of Appeal (2 pgs.) PTO Transmittal (1 pg.) Check (\$250) Postcard
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Date August 29, 2005		Reg. No. 44,523
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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